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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

US DISTRICT COURT
SOUTHERN DIST OHIO
WESTERN DIV DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

OMAR AGUILA, JR. (1)
(COUNTS 1, 2, 3, 4, 5 & 6)

KISER DEAN LOVELY (2)
(COUNT 4)

Defendants.

CASE NO. _____

3 22-cr 0024

THOMAS M. ROSE

INDICTMENT

18 U.S.C. § 2

18 U.S.C. § 1028A(a)(1)

42 U.S.C. § 408(a)(7)(B)

THE GRAND JURY CHARGES:

COUNT 1

[42 U.S.C. § 408(a)(7)(B)]
(Social Security Fraud)

On or about August 22, 2020, while in the Southern District of Ohio, defendant **OMAR AGUILA, JR.**, did knowingly and with intent to deceive falsely represent to sales personnel at the BMW Store of 6131 Stewart Road, Suite 1, Cincinnati, Ohio that his social security account number was xxx-xx-3634, in order to conceal his true identity, when in reality the Commissioner of Social Security had in fact assigned this social security account number to "D.B.R.", a person whose identity is known to the Grand Jury.

In violation of 42 U.S.C. § 408(a)(7)(B).

COUNT 2
[42 U.S.C. § 408(a)(7)(B)]
(Social Security Fraud)

On or about August 26, 2020, while in the Southern District of Ohio, defendant **OMAR AGUILA, JR.**, did knowingly and with intent to deceive falsely represent to sales personnel at White Allen Chevrolet of 442 N. Main Street, Dayton, Ohio that his social security account number was xxx-xx-3634, in order to conceal his true identity, when in reality the Commissioner of Social Security had in fact assigned this social security account number to “D.B.R.”, a person whose identity is known to the Grand Jury.

In violation of 42 U.S.C. § 408(a)(7)(B).

COUNT 3
[42 U.S.C. § 408(a)(7)(B)]
(Social Security Fraud)

On or about September 9, 2020, while in the Southern District of Ohio, defendant **OMAR AGUILA, JR.**, did knowingly and with intent to deceive falsely represent to sales personnel at Jeff Schmidt Buick, GMC, LLC of 646 Alpha Road, Beavercreek, Ohio that he held a power of attorney for his purported grandmother “R.K.F.”, and her social security account number was xxx-xx-1472, all in order to conceal his true identity, when in reality the Commissioner of Social Security had in fact assigned this social security account number to “R.F.K.”, a person who was not his grandmother, a person over which he did not hold a power of attorney, a person whose identity is known to the Grand Jury.

In violation of 42 U.S.C. § 408(a)(7)(B).

COUNT 4
[18 U.S.C. §§ 1028A(a)(1) and 2]
(Aggravated Identity Theft)

On or about August 22, 2020, while in the Southern District of Ohio, defendants **OMAR AGUILA, JR.** and **KISER DEAN LOVELY**, did without lawful authority knowingly possess and use certain means of identification of another person, as defined in 18 U.S.C. § 1028(d)(7)(A), to wit: a name, a fraudulent Ohio driver's license and a corresponding social security account number of "D.B.R.", an individual whose full identity is known to the Grand Jury, during and in relation to felony violations enumerated in: 18 U.S.C. § 1028A(c)(4), to wit: Access Device Fraud in violation of 18 U.S.C. § 1028(a)(1); 18 U.S.C. § 1028A(c)(5), to wit: Wire Fraud in violation of 18 U.S.C. § 1343; and 18 U.S.C. § 1028A(c)(11), to wit: Social Security Fraud in violation of 42 U.S.C. § 408(a)(7)(B).

All in violation of 18 U.S.C. §§ 1028A(a)(1) and 2.

COUNT 5
[18 U.S.C. §§ 1028A(a)(1)]
(Aggravated Identity Theft)

On or about August 26, 2020, while in the Southern District of Ohio, defendant **OMAR AGUILA, JR.**, did without lawful authority knowingly possess and use certain means of identification of another person, as defined in 18 U.S.C. § 1028(d)(7)(A), to wit: a name, a fraudulent Ohio driver's license and a corresponding social security account number of "D.B.R.", an individual whose full identity is known to the Grand Jury, during and in relation to felony violations enumerated in: 18 U.S.C. § 1028A(c)(4), to wit: Access Device Fraud in violation of 18 U.S.C. § 1028(a)(1); 18 U.S.C. § 1028A(c)(5), to wit: Wire Fraud in violation of 18 U.S.C. § 1343; and 18 U.S.C. § 1028A(c)(11), to wit: Social Security Fraud in violation of 42 U.S.C. § 408(a)(7)(B).

All in violation of 18 U.S.C. § 1028A(a)(1).

COUNT 6
[18 U.S.C. §§ 1028A(a)(1)]
(Aggravated Identity Theft)

On or about September 9, 2020, while in the Southern District of Ohio, defendant **OMAR AGUILA, JR.** did, without lawful authority knowingly possess and use certain means of identification of another person, as defined in 18 U.S.C. § 1028(d)(7)(A), to wit: a name, a fraudulent Ohio driver's license of "D.B.R.", an individual whose full identity is known to the Grand Jury, during and in relation to felony violations enumerated in 18 U.S.C. § 1028A(c)(4), to wit: Access Device Fraud in violation of 18 U.S.C. § 1028(a)(1) and 18 U.S.C. § 1028A(c)(5), to wit: Wire Fraud in violation of 18 U.S.C. § 1343.


All in violation of 18 U.S.C. § 1028A(a)(1).

A TRUE BILL

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FOREPERSON

KENNETH L. PARKER
UNITED STATES ATTORNEY



DWIGHT K. KELLER
Assistant U.S. Attorney